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Qwest
Spirit of Service

November 19, 2002

EX PARTE

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: WC Docket No. 02-314 – Application of Qwest Communications International Inc. for Authorization to Provide In-Region, InterLATA Service in the States of Colorado, Idaho, Iowa, Montana, Nebraska, North Dakota, Utah, Washington and Wyoming

Dear Ms. Dortch:

Qwest Communications International Inc. ("Qwest") submits this filing at the request of Commission staff to respond to Eschelon's recent *ex parte* submission concerning the report issued in Arizona by Cap Gemini Ernst & Young ("CGE&Y") reconciling Qwest and Eschelon OP-5 data ("Arizona OP-5 Report"). [1] Qwest responds here to each "key point" raised by Eschelon in its filing.

Alleged "Under-Reporting of Service Affecting Problems"

In its *ex parte*, Eschelon claims that the Arizona OP-5 Report "confirms" that OP-5 under-reports service affecting problems. In fact, the Report did not find that OP-5 under-reported problems; rather, it found that there were issues with OP-5, most of which were known to the parties and are in the

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[1] *See* Eschelon *ex parte*, filed November 11, 2002, *citing* CGE&Y's Data Reconciliation Report, Draft Version 2.0, dated October 24, 2002.

process of being resolved. Specifically, although the Report found issues with OP-5, Qwest's reported results changed only slightly when CGE&Y recalculated them. In addition, the results recalculated by CGE&Y are higher than the results for Qwest Retail orders. For example, CGE&Y's recalculation of OP-5 data changed the results for OP-5A for Eschelon from 92.17% to between 87.37% to 88.26%, still higher than the 86.84% result for Qwest's Retail orders of. [2]

Faced with these figures, Eschelon attempts to list several "errors and omissions in Qwest's data" to call CGE&Y's results into question. Qwest responds to each of these alleged "errors and omissions" below.

1. Eschelon alleges that "Qwest is recording CLEC trouble reports as Qwest retail troubles." [3] While this indeed was identified as an issue by CGE&Y, this legacy system limitation is insignificant and will be eliminated in Qwest's November results. [4]

2. Eschelon alleges that "Qwest excludes trouble reports from results based on which internal Qwest department or system handled them, instead of whether an installation-related trouble affected the end user customer's service." [5] Eschelon's comments are not correct. Qwest's processes are designed to capture troubles that are properly reported in OP-5, as defined. There are several issues involving referrals:

   a. First, when the CLEC fails to follow the documented process and creates a trouble ticket in error, as in the situation where the service order incorrectly captures what was ordered on the LSR, this type of problem is then referred back to the marketing unit to issue service orders to correct the problem. This error is then captured and reported in the "Service Order Accuracy via Call Center Data" measure (formerly known as OP-5++). The repair trouble is closed out to reflect that this is not a repair-related problem.

   b. The second referral scenario involves voice mail troubles. For both Retail and Wholesale, troubles for voice mail are not managed through

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2 *See id.* at 4.

3 *See* Eschelon *ex parte* at 2.

4 *See* Qwest Comments on QWEST/ESCHELON OP-5 Data Reconciliation Report ("Qwest Comments") at II(A)(2), Section 2.7, p. 10. A copy of Qwest's Comments is attached to this filing.

5 *See* Eschelon *ex parte* at 2.

Qwest's telecommunication services repair systems (*i.e.*, LMOS, MTAS), because voice mail is an enhanced service. OP-5 was designed to capture troubles related to products and services Qwest is obligated to provide pursuant to Section 251 of the Communications Act. Because Qwest is not obligated to provide enhanced services such as voice mail under Section 251, these troubles are not included in OP-5 results. [6]

3. Eschelon contends that "Qwest excludes many trouble reports for service disruptions within 72 hours of installation." [7] This is misleading at best. It appears that Eschelon is referring to Qwest's practice of directing CLECs to call the ISC rather than the repair center, up to and including 72 hours past completion of recent order activity. As described in the Qwest III Addendum – Reporting Service Affecting Troubles, this practice was implemented based on feedback from CLECs. [8] This process eliminates the potential "bouncing" of customer calls between repair and the ISC. When the ISC agent determines that the issue is an actual trouble that arose after the order completed (which is described below), the call is warm transferred to repair and a trouble ticket is issued. These trouble tickets are then included in the data used to produce the OP-5 results.

   A minor coda worth noting here is that if the CLEC call is made before a conversion is complete, the call is not reported in OP-5 because no provisioning trouble exists. CGE&Y found 11 occurrences of this (out of 600) in May and June, which relates to 1.8% of the OP-5-eligible orders implementing Eschelon LSRs.

4. Eschelon claims that "Qwest excludes trouble reports that happened to be caused by a Qwest service order typing error." [9] (This issue is also addressed in paragraph 2(a) above.) While these errors are not captured in OP-5, they are captured in the Qwest measure titled "Order Accuracy via Call Center Data" (formerly known as OP-5++). OP-5 is and always has been based on trouble reports and does not include service order accuracy. The parties have agreed to begin informal discussions, in advance of the finalization of the Long- Term PID Administration structure, on potential changes to how Qwest reports order accuracy and new installation quality (*i.e.*, PO-20, Order Accuracy via Call Center Data, and OP-5).

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[6] *See* Qwest comments at II(B)(1), pp. 11-12.

[7] *See* Eschelon *ex parte* at 2.

[8] *See* Qwest III Addendum, Tab 3, WC Docket No. 02-314, filed September 30, 2002.

[9] *See* Eschelon *ex parte* at 2.

5. Eschelon claims that "Qwest fails to flag trouble reports as being installation-related more often for CLEC orders than retail orders for reasons such as failing to properly flag non-repeat trouble_reports and not flagging troubles when the service order was not updated at time of the report." [10] Qwest does not understand Eschelon's basis for making this claim, and Eschelon does not cite any authority for its allegation. There is no evidence that either of these LMOS limitations affect CLECs more often than Retail customers. Moreover, both these legacy system dependencies will be eliminated when reporting process enhancements are implemented with November results. [11]

6. Eschelon clams that "Qwest improperly excludes trouble reports that occur within 30 days of installation if there is a more recent record or change order on the account that does not involve installation." [12] Eschelon is partially correct. It is true that if there is an intervening RECORD order between the inward line order and a trouble report in the first 30 days, the trouble ticket is not flagged as installation related. But the same is not true for Change orders. More importantly, this LMOS limitation will be addressed when reporting process enhancements are implemented with November results. [13]

7. Eschelon claims that "Qwest incorrectly codes trouble reports to the wrong trouble cause disposition code." [14] This issue already has been fully addressed in this proceeding. The Arizona OP-5 Report confirmed KPMG's finding in the ROC OSS Test that Qwest occasionally makes mistakes in filling out trouble disposition codes. But the rate at which these human errors occur is within an acceptable range, and there is no evidence that it occurs more frequently for CLECs than it does for Retail customers. Further, to the extent the miscoding currently affects OP-5, that affect will be resolved through the November enhancements. To the extent that the focus is "repair quality" rather than installation quality, MR-7 is the appropriate measure.

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10 *See id.*

11 *See* Qwest Comments at II(A)(1), pp. 6-8.

12 *See* Eschelon *ex parte* at 2.

13 *See* Qwest Comments at II(A)(2), Section 2.5.2, p. 10.

14 *See* Eschelon *ex parte* at 2.

8. Eschelon alleges that "Qwest coding of OP-5 eligibility is unreliable [because] CGE&Y found that, of the 83 troubles coded as OP-5 eligible by either Qwest or CGE&Y, Qwest coded 61% (51) incorrectly." [15] As described more completely in Qwest's Comments, CGE&Y's report is misleading. [16] Even though the Report found issues with OP-5, when CGE&Y recalculated the results it found only a slight difference from Qwest's reported results. In addition, as noted above, the results recalculated by CGE&Y are still higher than the Results for Qwest Retail orders. [17] Thus, OP-5 is not unreliable and, although the results it reports have known limitations that have been extensively explored, they are not significant. What OP-5 covers is reported reliably and consistently.

<u>Alleged "Below Parity" Results</u>

Eschelon disagrees with CGE&Y's conclusion that OP-5 results, when recalculated, are higher than the Results for Qwest Retail orders. [18] Eschelon's main contention is that its orders converting UNE-Star lines to UNE-P should not be included in OP-5. Eschelon claims that "[w]hen the numerator and denominator are properly adjusted to reflect true carrier switches, Qwest's performance as a result of these many errors and omissions is significantly below parity." [19] OP-5 need not be recalculated, as Eschelon suggests, for the following reasons:

1. Nothing in the PID supports Eschelon's claims. The PID does not exclude conversions involving the same CLEC. In fact, the parties to the PID negotiations have always recognized that conversion orders should be included in the results. The parties recognized the large volume of CLEC activity that involves conversions, and there always has been an understanding that conversion orders would be included in "inward line activity." While a classic conversion involves a change in providers, there are other types of conversions that do not, including a CLEC changing the product used to serve an existing customer. These conversions involve the exact same work as conversions involving changing providers. If the parties believe this activity should not be a trigger for measuring

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15 *See* Eschelon *ex parte* at 2.

16 *See* Qwest Comments at II(D), pp. 23-28.

17 *See* Arizona OP-5 Report at 4.

18 *See* Eschelon *ex parte* at 2-3, referring to Arizona OP-5 Report at 4.

19 *See id.*

installation quality, the orders can be removed – but, if this happens, both provider-to-provider and same-provider conversions should be removed. Finally, Eschelon's own evidence reflects the reasonability of including same CLEC conversions. Eschelon found 17 OP-5 eligible trouble reports on lines that were part of their conversion project. Unless one suspends doubt and accepts that the 17 troubles that occurred within 30 days of the conversion were completely unrelated to the conversion activity, the fact that the troubles existed re-enforces the appropriateness of including this type of activity in OP-5.

2. Eschelon claims that its conversion orders should not have been included because they were "specially handled." [20] However, these conversion orders are properly included in OP-5 results. These orders were processed using normal procedures. Eschelon likes to refer to these orders as "specially handled," but, in fact, they are not special. While Qwest provided Eschelon with a single point of contact for managing the conversion of its UNE-Star lines to UNE-P, and when issues arose, normal problem resolution processes were employed (*i.e.*, if one of the lines converted experienced trouble after the conversion had completed, the problem was referred to repair and a trouble ticket was opened).

3. Eschelon claims that "[f]or approximately a third of Off-Net conversions, when a customer exercises its right to switch to a CLEC, the conversion goes bad." [21] Eschelon's claims are not supported by the Arizona OP-5 Report. As noted above, CGE&Y found 11 occurrences of calls made by Eschelon during provisioning in May and June, which relates to 1.8% of Eschelon LSRs (11/600). If these 11 occurrences are applied just to conversion orders, the rate becomes 2.4% (11/463).

<u>Eschelon's Uniqueness</u>

Eschelon claims that it is not unique because it "requests only garden-variety products from Qwest for Eschelon's Off-Net conversions." [22] But CGE&Y found several unique circumstances/products in performing the data reconciliation that were not present or found at lower volumes during its extensive efforts in the Arizona OSS test. Both the commercial data that CGE&Y pored over in its Performance Measurement Audit ("PMA") as well as

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[20] *See id.* at 3.

[21] *See id.*

[22] *See id.*

the products and scenarios that multiple CLECs said needed to be included in the mix at statistically significant volumes gave CGE&Y the insight to legitimately conclude that Eschelon does not represent the norm.

Alleged "Poor Provisioning Driving CLEC Business Decisions"

Eschelon claims that "[p]oor provisioning of products, rather than customer demand, is driving CLEC product, process, and marketing decisions." [23] This statement is pure speculation. Eschelon provides no evidence demonstrating that it, or any other CLEC, has made any business decisions based on Qwest's performance rather than the CLEC's needs – nor could it. Qwest has provided extensive evidence in this proceeding proving that its performance for CLECs has been strong. As the Arizona OP-5 Report makes clear, even using CGE&Y's revised numbers, OP-5 results demonstrate that Qwest is meeting parity. Qwest has attempted to conduct discovery in state proceedings in connection with CLEC claims that their business decisions have been driven by factors other than economics. But the CLECs consistently have refused to respond to our discovery requests or to provide any back-up to their claims. Eschelon's claim therefore should be significantly discounted.

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The twenty-page limit does not apply to this filing.

Respectfully submitted,

Hance Haney

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[23] *See id.*